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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,982	04/25/2001	Gerd Hugo	24580	5343

20529	7590	09/27/2006

NATH & ASSOCIATES
112 South West Street
Alexandria, VA 22314

EXAMINER
BRUNSMAN, DAVID M

ART UNIT	PAPER NUMBER
1755	

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

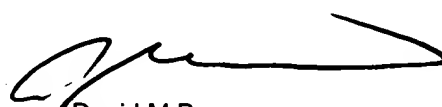| EXAMINER |
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ART UNIT	PAPER

20060921

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Commissioner for Patents

See attached.

David M Brunsman
Primary Examiner
Art Unit: 1755

This action is supplemental to that mailed 29 August 2006. Subsequent to the telephone interview with applicant's representative, this action is intended to further illuminate the reasons for holding the reply filed 18 May 2006 non-responsive.

The reply filed on 18 May 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): There is no antecedent basis in the application as originally filed for "acrylates" in the plural form. The original specification sets forth lists of resins that may be used as the binder (see, for example, page 4, paragraph "a)", which includes a species "acrylate" as well as other acrylate derivatives such as methacrylate and polyisopropyl acrylate. The original specification includes neither a single distinct material named "acrylates" nor, identifies members of a class named "acrylates". Further, the requirement for election of species requires that the election designate "a single distinct material or compound". A plural term, acrylates, would appear to fall outside that requirement on its face. Further, there is no antecedent basis for "disodium-5-amino-4-hydroxy-3(phenylazo)napthalene-2,7-disulfonate". A proper election of species must select from those disclosed in the original application. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M. Brunsman whose telephone number is 571-272-1365. The examiner can normally be reached on M, Th, F, Sa; 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on 571-272-1362. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is

available through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information system, call 800-

786-9199 (IN USA OR CANADA) or 571-272-1000.

David M Brunsman
Primary Examiner
Art Unit 1755

DMB